IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 323 OF 2005
IN
CRIMINAL APPEAL NO. 61 OF 2005

Vikas Vishwanath Bhalerao ..Applicant
versus
The State of Maharashtra ..Respondents

Smt. Anjali Patil for the Applicant.
Smt. V. R. Bhosale APP for the Respondents - State.

CORAM : D. G. DESHPANDE, &
V. M. KANADE, JJ.

DATE : 28TH NOVEMBER,2005

ORAL ORDER :

1. Heard learned Advocate for the applicant - accused and the learned APP.

2. The accused is convicted under Section 302 of IPC for murdering his wife. The case against him is based on circumstantial evidence. He was arrested on 19.2.2000 since then he is in custody, but it was he who had informed the police about the murder of his wife and then subsequent investigation was carried out. As per the affidavit of the Police Inspector the circumstances against the applicant - accused are, pointing out the place of the offence

by him, recovery of clothes having mud, where the offence was committed, small injury on the person of the applicant - accused and the nail clipping bleeding showing blood group ’B’ which was the same blood group of deceased Savita.

3. Looking to the circumstances and the evidence and also the fact that there is nobody to take care of his old mother, his detention for more than five years, that there are no criminal antecedents against the applicant - accused as stated by the police, the applicant - accused deserves to be released on bail. In the result, we pass the following order :

ORDER

. Criminal Application is allowed.

. The applicant - accused be released on P.R. bond of Rs.15,000/- with one solvent surety in the like amount.

. The applicant - accused will attend Tilak Nagar Police Station once in a month in the first

week till the Appeal is disposed of.

. Criminal Application is disposed of accordingly.

(D.G. DESHPANDE, J.)

(V. M. KANADE, J.)